

### Program Budget Comparison

The following table summarizes the total Legislative budget by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2014	Approp. Fiscal 2015	Legislative Budget 2016	Legislative Budget 2017	Biennium Fiscal 14-15	Biennium Fiscal 16-17	Biennium Change	Biennium % Change
FTE	71.75	71.75	84.75	84.75	71.75	84.75	13.00	18.12 %
Personal Services	4,952,371	6,205,218	7,281,672	8,148,445	11,157,589	15,430,117	4,272,528	38.29 %
Operating Expenses	4,531,605	4,601,180	5,803,193	5,796,684	9,132,785	11,599,877	2,467,092	27.01 %
Equipment & Intangible Assets	24,386	8,885	8,885	8,885	33,271	17,770	(15,501)	(46.59)%
Grants	71,248	0	0	0	71,248	0	(71,248)	(100.00)%
Benefits & Claims	490,934	416,800	1,997,329	1,997,329	907,734	3,994,658	3,086,924	340.07 %
Transfers	24,350	0	3,065,954	3,065,954	24,350	6,131,908	6,107,558	25,082.37 %
<b>Total Costs</b>	<b>\$10,094,894</b>	<b>\$11,232,083</b>	<b>\$18,157,033</b>	<b>\$19,017,297</b>	<b>\$21,326,977</b>	<b>\$37,174,330</b>	<b>\$15,847,353</b>	<b>74.31 %</b>
General Fund	9,705,328	10,864,188	17,564,387	18,369,287	20,569,516	35,933,674	15,364,158	74.69 %
State/Other Special Rev. Funds	269,617	241,654	465,548	519,697	511,271	985,245	473,974	92.71 %
Federal Spec. Rev. Funds	119,949	126,241	127,098	128,313	246,190	255,411	9,221	3.75 %
<b>Total Funds</b>	<b>\$10,094,894</b>	<b>\$11,232,083</b>	<b>\$18,157,033</b>	<b>\$19,017,297</b>	<b>\$21,326,977</b>	<b>\$37,174,330</b>	<b>\$15,847,353</b>	<b>74.31 %</b>

### Program Description

The Supreme Court has appellate jurisdiction for the State of Montana. The court has original jurisdiction to issue, hear, and determine writs of habeas corpus and other writs provided by law. It also has general supervisory control over all other courts in the state. The Supreme Court is charged with establishing rules governing appellate procedure, the practice and procedure for all other courts, and admission to the bar and conduct of its members. Within the Supreme Court Operations program, the Office of Court Administrator provides centralized services to the Judicial Branch including information technology, budget and finance, payroll and human resource management, policy and technical support for the Youth Courts, judicial education, and services provided through the federal Court Assessment Program related to child abuse and neglect cases. The program also provides staff and other support to constitutionally and statutorily required commissions attached to the Montana Supreme Court, specifically the Judicial Standards Commission, the Sentence Review Board, and the Commission on Courts of Limited Jurisdiction. It also supports activities of the Commission on Practice. Other specialized commissions and task forces - not required by the Constitution and statute but created by the Supreme Court to address specific issues - receive minimal financial assistance with travel expenses and supplies.

### Program Highlights

<b>Supreme Court Operations Major Budget Highlights</b>	
<ul style="list-style-type: none"> <li>• Funding increases for this program are primarily to:                             <ul style="list-style-type: none"> <li>◦ Annualize the pay plan passed by the 2013 Legislature and provide elected official increases per a statutory survey</li> <li>◦ Fund the 2017 biennium pay plan</li> <li>◦ Fund activities of the Judicial Standards Commission</li> <li>◦ Adjust certain expenditure accounts for inflation</li> <li>◦ Fund office lease contract increases</li> <li>◦ Fund information technology staff and the Court Help Program that were budgeted as one-time-only in the 2015 biennium</li> <li>◦ Transfer juvenile delinquency intervention and prevention (JDIP) funds and their administration from the Department of Corrections per the provisions of HB 233</li> </ul> </li> <li>• The legislature funded the addition of 13.00 FTE, with 3.00 FTE funded as one-time-only, for the following purposes:                             <ul style="list-style-type: none"> <li>◦ 3.00 FTE information technology positions to support court automation systems were funded as one-time-only</li> <li>◦ 1.00 FTE treatment court coordinator for treatment courts funded by the 2013 Legislature but that were only partially expended in the base</li> <li>◦ 5.00 FTE to support the Court Help Program</li> <li>◦ 4.00 FTE transferred from the Department of Corrections to administer JDIP funds</li> </ul> </li> </ul>	

**Funding**

The following table shows program funding by source from all sources of authority.

Judicial Branch, 01-Supreme Court Operations Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	35,933,674	0	0	35,933,674	96.66 %	
02151 YthCrt Intervention?evention	343,436	0	0	343,436	34.86 %	
02342 Court Automation Surcharge	706	0	0	706	0.07 %	
02399 Judicial Education Conferences	129,466	0	0	129,466	13.14 %	
02431 Water Adjudication	107,877	0	0	107,877	10.95 %	
02536 Legal Assistance	281,338	0	0	281,338	28.56 %	
02961 State Grants to Drug Courts	122,422	0	0	122,422	12.43 %	
<b>State Special Total</b>	<b>\$985,245</b>	<b>\$0</b>	<b>\$0</b>	<b>\$985,245</b>	<b>2.65 %</b>	
03041 Probation Training Fund	480	0	0	480	0.19 %	
03083 Judicial Education Grant	0	0	0	0	0.00 %	
03136 STATE JUSTICE INSTITUTE GRANT	0	0	0	0	0.00 %	
03153 Court Improvement Prg Grants	0	0	0	0	0.00 %	
03240 COURT ASSESSMENT PROGRAM	254,931	0	0	254,931	99.81 %	
<b>Federal Special Total</b>	<b>\$255,411</b>	<b>\$0</b>	<b>\$0</b>	<b>\$255,411</b>	<b>0.69 %</b>	
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Total All Funds</b>	<b>\$37,174,330</b>	<b>\$0</b>	<b>\$0</b>	<b>\$37,174,330</b>		

The bulk of the program’s funding comes from the general fund. State special revenue supporting the program include revenue from a portion of the dissolution of marriage fees used to provide civil legal services for indigent victims of domestic

violence (3-2-714, MCA) and fees collected by drug courts. State special revenue from fees charged for training events provides a portion of the funding in support of boards and commissions. Federal funds support the court assessment program.

**Budget Summary by Category**

The following summarizes the total budget utilizing the FY 2015 legislative base, present law adjustments, and new proposals.

Budget Summary by Category								
	-----General Fund-----				-----Total Funds-----			
Budget Item	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget
2015 Budget	10,318,531	10,318,531	20,637,062	57.43 %	10,686,426	10,686,426	21,372,852	57.49 %
PL Adjustments	1,625,602	2,431,196	4,056,798	11.29 %	1,678,395	2,539,353	4,217,748	11.35 %
New Proposals	5,620,254	5,619,560	11,239,814	31.28 %	5,792,212	5,791,518	11,583,730	31.16 %
<b>Total Budget</b>	<b>\$17,564,387</b>	<b>\$18,369,287</b>	<b>\$35,933,674</b>		<b>\$18,157,033</b>	<b>\$19,017,297</b>	<b>\$37,174,330</b>	

**Present Law Adjustments**

The "Present Law Adjustments" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

Present Law Adjustments	Fiscal 2016					Fiscal 2017				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 510 - Legislative Audit-HB 2 2014 Fixed Costs (Restricted/Biennial)	0.00	45,412	0	0	45,412	0.00	0	0	0	0
DP 515 - State Share Health Insurance	0.00	34,871	0	0	34,871	0.00	34,871	0	0	34,871
DP 516 - Correct State Share Health Insurance	0.00	607	0	0	607	0.00	607	0	0	607
DP 525 - Fixed Cost Adjustment	0.00	481,674	0	0	481,674	0.00	506,205	0	0	506,205
DP 526 - 2017 Biennium Legislative Audit (Restricted/Biennial)	0.00	1,271	0	0	1,271	0.00	0	0	0	0
DP 527 - Inflation/Deflation Adjustment	0.00	(24,303)	0	0	(24,303)	0.00	(19,568)	0	0	(19,568)
DP 531 - SITSD Rate Adjustment	0.00	65,250	316	0	65,566	0.00	80,694	390	0	81,084
DP 532 - General Liability Insurance Rate Adjustment	0.00	(8,574)	(41)	0	(8,615)	0.00	(8,574)	(41)	0	(8,615)
DP 535 - Program Transfers	0.00	58,103	0	0	58,103	0.00	58,103	0	0	58,103
DP 550 - Motor Pool Rate Adjustment	0.00	(3,527)	0	0	(3,527)	0.00	(3,125)	0	0	(3,125)
DP 590 - Employee Pay and State Share	0.00	434,830	26,901	617	462,348	0.00	1,306,944	80,976	1,832	1,389,752
DP 600 - Elected Official Pay Increase Per Statutory Survey	0.00	105,134	0	0	105,134	0.00	105,134	0	0	105,134
DP 606 - Supreme Court Operations Base Adjustments	0.00	254,174	0	0	254,174	0.00	211,642	0	0	211,642
DP 100001 - Judicial Standards (Restricted/Biennial)	0.00	25,000	0	0	25,000	0.00	0	0	0	0
DP 100004 - Rent Old Federal Building	0.00	8,642	0	0	8,642	0.00	11,317	0	0	11,317
DP 100005 - Annualize Drug Courts Funding	1.00	120,610	0	0	120,610	1.00	120,518	0	0	120,518
DP 100007 - Drug Court Increase to Existing Funding (Restricted)	0.00	0	25,000	0	25,000	0.00	0	25,000	0	25,000
DP 100010 - Information Technology System Maintenance Costs	0.00	26,428	0	0	26,428	0.00	26,428	0	0	26,428
<b>Grand Total All Present Law Adjustments</b>	<b>1.00</b>	<b>\$1,625,602</b>	<b>\$52,176</b>	<b>\$617</b>	<b>\$1,678,395</b>	<b>1.00</b>	<b>\$2,431,196</b>	<b>\$106,325</b>	<b>\$1,832</b>	<b>\$2,539,353</b>

\*\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 510 - Legislative Audit-HB 2 2014 Fixed Costs (Restricted/Biennial) -

The legislature provided a restricted biennial appropriation for the legislative audit costs. The funding is established at the level of the 2015 biennial appropriation contained in HB 2 as enacted by the 2013 Legislature.

DP 515 - State Share Health Insurance -

The legislature provided appropriation authority for the state share of health insurance, as adopted by the 2013 Legislature.

DP 516 - Correct State Share Health Insurance -

The legislature approved an adjustment to the state share for health insurance to correct for an error in calculating the initial amounts.

DP 525 - Fixed Cost Adjustment -

The legislature adopted proprietary rates for fixed costs charged to state agencies for services such as information technology or rent and grounds maintenance within the capitol complex. Rates for messenger services, legislative audit, grounds maintenance, records management, agency legal costs, and the statewide cost allocation plan were adopted as

proposed by the executive. The legislature lowered proprietary rates for warrant writer, payroll services, SABHRS, SITSD fees, and rent. The legislature increased insurance premiums to provide for increased costs of claims and to establish a reserve for the insurance fund.

DP 526 - 2017 Biennium Legislative Audit (Restricted/Biennial) -

The legislature adjusted legislative audit costs and funding based on the current estimate of the Legislative Auditor.

DP 527 - Inflation/Deflation Adjustment -

The legislature adopted inflation/deflation factors for budgeted expenditures such as food or electricity. The legislature concurred with the executive on the factors with the exception of gasoline, aviation gasoline, diesel fuel, and jet fuel. For these factors the legislature further deflated costs to align the budget with more current information on declining prices of oil and gas projected to continue into the 2017 biennium.

DP 531 - SITSD Rate Adjustment -

The legislature approved an increase for fixed cost rates included in state agency budgets for information technology services provided by the State Information Technology Services Division (SITSD).

DP 532 - General Liability Insurance Rate Adjustment -

The legislature reduced the rate assessed to state agencies for general liability insurance provided by the Risk Management and Tort Defense Division.

DP 535 - Program Transfers -

The legislature adopted program transfers made by the department in the interim. This includes transfers of \$58,103 in general fund in each FY 2016 and FY 2017 from the District Court Operations Program to the Supreme Court Operations Program including funding for 0.50 FTE from the District Court Operations Program to the Supreme Court Operations Program.

DP 550 - Motor Pool Rate Adjustment -

The legislature adopted a reduction to the motor pool rates.

DP 590 - Employee Pay and State Share -

The legislature approved a pay plan for state employees that provides a \$0.50 an hour raise for employees effective on the first day of the first complete pay period that includes January 15, 2016 and 2017. In addition, the legislature increased the state share contribution towards employee insurance by 10% the first year of the biennium and 8% the second.

DP 600 - Elected Official Pay Increase Per Statutory Survey -

The legislature funded an increase in pay for elected officials per the statutory pay survey.

DP 606 - Supreme Court Operations Base Adjustments -

The legislature approved an unspecified present law adjustment to move operating costs to the 2015 legislative base.

DP 100001 - Judicial Standards (Restricted/Biennial) -

The legislature funded the constitutionally mandated Judicial Standards Commission and designated the funding as restricted and biennial with the funding restricted for the investigations of complaints against judges.

DP 100004 - Rent Old Federal Building -

The legislature funded increases in lease payments for space rented at the Old Federal Building in Helena.

DP 100005 - Annualize Drug Courts Funding -

The legislature funded annualization of three drug courts, including funding for 1.00 FTE, that received funding from the 2013 Legislature, but were only funded for a portion of the 2015 legislative base year due to timing of when the federal funds were no longer available. This funding is for the Adult Treatment Court and Veteran's Treatment Court in the Judicial District 13 and the Treatment Court in Judicial District 19.

DP 100007 - Drug Court Increase to Existing Funding (Restricted) -

The legislature funded an increase derived from drug court fees paid by drug court participants. The funding was restricted only to costs that are supported by drug court participants.

DP 100010 - Information Technology System Maintenance Costs -

The legislature funded increased costs for information technology system maintenance contracts for systems that support branch operations.

**New Proposals**

The "New Proposals" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

New Proposals	-----Fiscal 2016-----					-----Fiscal 2017-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 100002 - Information Technology Increased Staffing (OTO)	3.00	206,275	0	0	206,275	3.00	205,938	0	0	205,938
DP 100003 - Court Help Program (Restricted)	5.00	295,000	0	0	295,000	5.00	295,000	0	0	295,000
DP 100009 - Judicial Education (Restricted)	0.00	50,000	0	0	50,000	0.00	50,000	0	0	50,000
DP 100233 - HB 233 JDIP Administration Transfer	4.00	5,068,979	171,718	240	5,240,937	4.00	5,068,622	171,718	240	5,240,580
<b>Total</b>	<b>12.00</b>	<b>\$5,620,254</b>	<b>\$171,718</b>	<b>\$240</b>	<b>\$5,792,212</b>	<b>12.00</b>	<b>\$5,619,560</b>	<b>\$171,718</b>	<b>\$240</b>	<b>\$5,791,518</b>

\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 100002 - Information Technology Increased Staffing (OTO) -

The legislature approved funding for 3.00 FTE and operating costs to support branch automated court systems. The legislature designated the funding as one-time-only.

DP 100003 - Court Help Program (Restricted) -

The legislature funded the addition of 5.00 FTE and associated operating costs for the Court Help Program. The legislature restricted funding only for costs of the Court Help Program.

DP 100009 - Judicial Education (Restricted) -

The legislature approved funding for judicial education. The legislature restricted the funding only to support costs of judicial education.

DP 100233 - HB 233 JDIP Administration Transfer -

The legislature moved the funding and administration of the juvenile delinquency intervention and prevention funds from the Department of Corrections to the Judicial Branch including funding for 4.00 FTE. This adjustment implements the provisions of HB 233 that generally revised juvenile delinquency laws and is offset by a similar adjustment in the Department of Corrections.